

MINUTES

CASE NUMBER: CR11-00503JMS

CASE NAME: USA v. (01) Mahealani Ventura-Oliver
(02) John D. Oliver
(03) Pilialoha K. Teves
(04) Leatrice Lehua Hoy
(05) Peter Hoy

ATTYS FOR PLA: Lawrence Tong

ATTYS FOR DEFT: (01) Alexander Silvert, Special Appearance
(02) Jeffrey Arakaki, Special Appearance
(03) Richard Gronna, Special Appearance
(04) Alvin Nishimura
(05) Dana Ishibashi

INTERPRETER:

JUDGE: Kevin S. C. Chang

REPORTER: FTR C5

DATE: 6/14/2011

TIME: 2:21-2:41pm

COURT ACTION: EP:

1. Initial Appearance (2 minutes)
2. A&P to the Indictment (18 minutes)

Defendants 04 and 05 present, both not in custody.

Defendants 01, 02 and 03 not present.

Defendants 04 and 05 sworn to the financial affidavits and requests for court appointed attorneys are granted. Alvin Nishimura is appointed as counsel for Defendant 04. Dana Ishibashi is appointed as counsel for Defendant 05.

The Court will **specialy appoint** counsel (01) Alexander Silvert, (02) Jeffrey Arakaki and (03) Richard Gronna.

Charges received. Defendants 04 and 05 waive public reading of the Indictment. Pleas of Not Guilty entered as to Defendants 04 and 05.

Jury Selection/Trial: 8/9/11, 9:00am, Judge Seabright

Final Pretrial Conference: 7/11/11, 10:00am, Judge Kurren

Motions due: 6/28/11

Response due: 7/12/11

Bail as to Defendant 04:

Defendant has no objection to the pretrial release conditions. The pretrial release conditions are acceptable with the Government.

Bail -

Execute an unsecured bond in the amount of \$25,000.

- (7b) Comply with pretrial services supervision, and abide by all conditions of release as directed by Pretrial Services.
- (7g1) Surrender any passport and all travel documents to the U.S. District Court Clerk's Office. Do not apply for/obtain a passport. Unless otherwise specified by the Court, the U.S. District Court Clerk's Office is directed to return the posted passport to the defendant upon disposition of this case. Surrender no later than: close of business on June 14, 2011.
- (7h1) Travel is restricted to State of Hawaii; inter-island travel must be approved in advance by Pretrial Services.
- (7m1) Contact is prohibited directly, indirectly, or through third parties with: co-defendants, co-conspirators, or witnesses in this and any related case. The U.S. Attorney's Office will provide Pretrial Services with initial and updated lists of names of persons with whom contact is prohibited. Contact with family members is permitted, but you may not discuss the case.
- (7s1) You are prohibited from owning, possessing, or controlling any firearm or ammunition. Immediately surrender all firearms and ammunition to an agent approved by Pretrial Services.
- (8n) Provide Pretrial Services with any and all requested financial information regarding your financial status including, but not limited to: employment and all sources of income, bank accounts, assets and liabilities, and investments. You are required to sign and execute an Authorization to Release Financial Information as requested by Pretrial Services.
- (8o) Pretrial Services is authorized to run credit reports on a random and "as needed" basis during the course of supervision to ensure compliance with pretrial release conditions. You are required to sign and execute any necessary release forms including, but not limited to an Authorization to Release Financial Information, as requested by Pretrial Services.
- (8r) You are prohibited from handling other person's money for investment and/or mortgage, credit card or debt related purposes, unless approved by Pretrial Services.

- (9a) In conjunction with the Ho'okele program, the Court authorizes the defendant to participate in voluntary stress and anxiety counseling as arranged by Pretrial Services.

Other Conditions: Prohibited from filing any documents with the Hawaii Bureau of Conveyances without the prior approval of Pretrial Services.

Defendant shall not commit any offense in violation of federal, state, or local law while on release in this case.

Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

Bail as to Defendant 05:

Defendant has no objection to the Pretrial Services report. The pretrial release conditions are acceptable with the Government.

Bail -

Execute an unsecured bond in the amount of \$25,000.

- (7b) Comply with pretrial services supervision, and abide by all conditions of release as directed by Pretrial Services.
- (7g1) Surrender any passport and all travel documents to the U.S. District Court Clerk's Office. Do not apply for/obtain a passport. Unless otherwise specified by the Court, the U.S. District Court Clerk's Office is directed to return the posted passport to the defendant upon disposition of this case. Surrender no later than: close of business on June 14, 2011. The Court notes Mr. Ishibashi's statement that Defendant's passport is in the process of being renewed with the Department of State. When the passport is received back from the Department of State, the passport will be turned in.
- (7h1) Travel is restricted to State of Hawaii; inter-island travel must be approved in advance by Pretrial Services.
- (7m1) Contact is prohibited directly, indirectly, or through third parties with: co-defendants, co-conspirators, or witnesses in this and any related case. The U.S. Attorney's Office will provide Pretrial Services with initial and updated lists of names of persons with whom contact is prohibited. Contact with family members is permitted, but you may not discuss this case.
- (7s1) You are prohibited from owning, possessing, or controlling any firearm or ammunition. Immediately surrender all firearms and ammunition to an agent approved by Pretrial Services.
- (8n) Provide Pretrial Services with any and all requested financial information regarding your financial status including, but not limited to: employment and all

sources of income, bank accounts, assets and liabilities, and investments. You are required to sign and execute an Authorization to Release Financial Information as requested by Pretrial Services.

- (8o) Pretrial Services is authorized to run credit reports on a random and “as needed” basis during the course of supervision to ensure compliance with pretrial release conditions. You are required to sign and execute any necessary release forms including, but not limited to an Authorization to Release Financial Information, as requested by Pretrial Services.
- (8r) You are prohibited from handling other person’s money for investment and/or mortgage, credit card or debt related purposes, unless approved by Pretrial Services.
- (9a) In conjunction with the Ho’okele program, the Court authorizes the defendant to participate in voluntary stress and anxiety counseling as arranged by Pretrial Services.

Other Conditions: Prohibited from filing any documents with the Hawaii Bureau of Conveyances without the prior approval of Pretrial Services.

Defendant shall not commit any offense in violation of federal, state, or local law while on release in this case.

Defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed.

Government updated the Court as to their attempts to locate Defendants 01, 02 and 03. Government requests for Bench Warrants as to Defendants 01, 02 and 03. **Court orders that Bench Warrants issue for Defendants 01, 02 and 03. Bail to be determined upon their presentation before the Court.**

Submitted by: Shari Afuso, Courtroom Manager